

ORDINANCE NO. 12-_____

BE IT ORDAINED by the City Council of the City of Huntsville, Alabama, as follows:

Section 1. The City Council of the City of Huntsville, Alabama, finds that an application has been presented to the City of Huntsville requesting a vacation of a portion of a utility and drainage easement; that the applicant has represented to the City of Huntsville that Adams Homes, LLC, is the owner of the property across which said easement lies; that said easement or portion being vacated is not presently used and is no longer needed for a public or municipal purpose.

Section 2. Pursuant to the findings in Section 1 hereinabove, the Mayor of the City of Huntsville, Alabama, is hereby authorized, requested and directed to execute a quitclaim deed vacating the easement hereinafter described, said deed being substantially in words and figures as follows, to-wit:

STATE OF ALABAMA

COUNTY OF MADISON

QUITCLAIM DEED

THIS INDENTURE made and entered into on this the 6th day of December 2012, by and between **THE CITY OF HUNTSVILLE**, a municipal corporation organized and existing under the laws of the State of Alabama, as Grantor, and **ADAMS HOMES, LLC**, an Alabama limited liability company, as Grantees.

WITNESSETH: That the said Grantor, for and in consideration of the sum of Ten and no/00 (\$10.00) Dollars, and other good and valuable considerations to the Grantor in hand paid by the Grantees, the receipt of which is hereby acknowledged, has this day REMISED, RELEASED, QUITCLAIMED and CONVEYED and does by these presents REMISE, QUITCLAIM and CONVEY unto the Grantees, , the following described property, lying and being in the County of Madison, State of Alabama, to-wit:

ALL THAT PART OF LOT 133 OF LANIER LAKES AS RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE, MADISON COUNTY, ALABAMA IN DOCUMENT 20050707000441860 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 133, THENCE ALONG THE NORTH BOUNDARY N89 DEGREES 10 MINUTES 22 SECONDS WEST 5.00; THENCE SOUTH 00 DEGREES 49 MINUTES 38 SECONDS WEST 5.00 TO THE POINT OF BEGINNING.

THENCE FROM THE POINT OF BEGINNING SOUTH 00 DEGREES 49 MINUTES 38 SECONDS WEST 75.00 FEET; THENCE N 89 DEGREES 10 MINUTES 22 SECONDS WEST 10.00 FEET TO A POINT ON THE WEST BOUNDARY OF AN EXISTING 15 FOOT UTILITY AND DRAINAGE EASEMENT; THENCE ALONG SAID BOUNDARY NORTH 00 DEGREES 49 MINUTES 38 SECONDS EAST 75.00 FEET; THENCE LEAVING SAID BOUNDARY SOUTH 89 DEGREES 10 MINUTES 22 SECONDS EAST 10.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 750 SQUARE FEET MORE OR LESS.

THE PURPOSE OF THIS DESCRIPTION IS TO VACATE THE WEST 10.00 FEET OF AN EXISTING 15.00 FOOT UTILITY AND DRAINAGE EASEMENT.

To have and to hold to the said Grantees, its successors and assigns.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals on this the day and year first above written.

THE CITY OF HUNTSVILLE,
A municipal corporation

By: _____ (SEAL)
Tommy Battle, Mayor

ATTEST:

CHARLES E. HAGOOD
City Clerk-Treasurer

STATE OF ALABAMA)
 :
COUNTY OF MADISON)

Before me, the undersigned Notary Public in and for said county and State, personally appeared Tommy Battle and Charles E. Haygood, who are known to me to be the Mayor and the City Clerk-Treasurer respectively of the City of Huntsville, a municipal corporation, and they acknowledged before me on this date that they, being duly informed of the contents of this instrument, executed the same voluntarily and with full authority on behalf of and as the act of the City of Huntsville, a municipal corporation, on the day the same bears date.

GIVEN under my hand and official seal on this the 6th day of December, 2012.

_____(SEAL)
Notary Public
My commission expires: _____

Prepared by:
Richard Chesnut
307 Randolph Avenue
Huntsville, Al. 35801

Ordinance No. 12-_____ (Cont.)
Adams Homes, LLC

ADOPTED this the 6th day of December, 2012.

President of the City Council
of the City of Huntsville, Alabama

APPROVED this the 6th day of December, 2012.

Mayor of the City of
Huntsville, Alabama